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Counsel for Defendant LUNA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES LUNA,

Defendant.

**Case No.:** 5:23-mj-71503-MAG

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE  
DETENTION HEARING**

Defendant James Luna and the Government, by and through their respective counsel, stipulate and agree, with the Court's approval, that the detention hearing set for December 11, 2023 at 1:00 p.m. may be continued to December 13, 2023 at 1:00 p.m. The reason for the requested continuance is that the defense needs additional time to conduct investigation that will bear on the detention hearing.

The parties additionally stipulate and agree that time shall be excluded from December 11, 2023 to December 13, 2023, pursuant to 18 U.S.C. §§ 3161(h)(1)(D) as the government's motion for detention remains pending.

1 IT IS SO STIPULATED.

2 Dated: December 8, 2023

JODI H. LINKER  
Federal Public Defender  
Northern District of California

3 \_\_\_\_\_/s/\_\_\_\_\_  
4 JESSICA YU  
5 Assistant Federal Public Defender  
6

7 Dated: December 8, 2023

8 ISMAIL J. RAMSEY  
9 United States Attorney  
Northern District of California

10 \_\_\_\_\_/s/\_\_\_\_\_  
11 NEAL HONG  
12 Assistant United States Attorney

13 **[PROPOSED] ORDER**

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15 Upon agreement and stipulation of the defendant James Luna, and the United States, and their  
16 respective counsel, and good cause appearing, IT IS HEREBY ORDERED that defendant James  
17 Luna's detention hearing be continued to December 13, 2023 at 1:00 p.m.

18 It is further ORDERED that time be excluded under 18 U.S.C. § 3161(h), and specifically,  
19 that it be excluded from December 11, 2023 to December 13, 2023.  
20

21 IT IS SO ORDERED.  
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23  
24 DATED: \_\_\_\_\_

\_\_\_\_\_  
25 HONORABLE SUSAN VAN KEULEN  
26 United States Magistrate Judge  
27  
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